IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 22992 of 2005

Between:

K.Babu Rao

..... PETITIONER

AND

Government of Andhra Pradesh,

represented by its Home Secretary,

Secretariat, Hyderabad and 2 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in interfering with the life and liberty of the petitioner and his family members without due process of law, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home, appearing for the respondents 1 and 2.

It is stated that the petitioner belongs to SC community and the 3rd respondent belongs to Padmasali community and both of them fell in love and decided to marry. Both of them left for Yadagirigutta in Nalgonda District and got married on 11.06.2005, and after their marriage they set up their family in a rented house in Karkhana, Secunderabad and lived there for two months. Thereafter, the 3rd respondent left the company of the petitioner and went to her parents' house. While the matter stood thus, the 2nd respondent has been interfering with the personal life and liberty of the petitioner illegally and insisting him to pay a sum of Rs.1,00,000/- and get separated. It is further stated that the 3rd respondent has not filed any complaint before the 2nd respondent against the petitioner, and without any complaint from anybody, the 2nd respondent has been threatening to register a case against the petitioner for the offence under Section 498-A of IPC.

Without any complaint or allegations against the petitioner, the police cannot interfere with the personal life and liberty of the petitioner.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition, with a direction to the respondents not to interfere with the personal life and liberty of the petitioner without there being any complaint filed against him. However, the 2nd respondent is at liberty to register a case if any complaint filed against the petitioner and investigate into the matter.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 26.10.2005

Dsr

Note:

Issue CC in 3 days

B/o

Dsr